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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FEDERICO GUZMAN CASTILLO, :
individually and on behalf of others similarly :
situated :

Plaintiff, :

- against - :

L.F.N. RESTAURANT, INC. (d/b/a NANNI'S :
RESTAURANT), SILVO SCLANO, VITTORIO :
MIRIEL, SABRINA MIRIEL, and FILIPPO :
CARNEVALE, :

Defendants. :
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15-CV-930 (VSB)

AMENDED ORDER

VERNON S. BRODERICK, United States District Judge:

This action was commenced on February 9, 2015 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint was served on the Defendants, L.F.N. RESTAURANT INC., SILVO SCLANO, VITTORIO MIRIEL, SABRINA MIRIEL and FILIPPO CARNEVALE, on February 10, 2015, February 13, 2015, February 13, 2015, February 13, 2015, and February 13, 2015, respectively.

The Order to Show Cause hearing was held on October 7, 2015 at 09:15 a.m. Defendants failed to appear at that hearing or to request an adjournment. To date, no notice of appearance for Defendants has been filed, and no other communication has been received from or on behalf of Defendants. No counsel having appeared on behalf of any Defendant, proof of service upon each Defendant having been duly filed (DE #21), no Defendant having answered the Complaint, and the time for each Defendant to answer or move with respect to the Complaint having expired, it is hereby:

ORDERED that a default is entered against Defendants L.F.N. RESTAURANT INC., SILVO SCLANO, VITTORIO MIRIEL, SABRINA MIRIEL and FILIPPO CARNEVALE;


IT IS FURTHER ORDERED that the Plaintiff, Federico Guzman Castillo, has judgment against the Defendants L.F.N. Restaurant Inc., Silvo Sclano, Vittorio Miriel, Sabrina Miriel, and Filippo Carnevale in the amount of \$41,936.00, including compensatory damages and permissible liquidated damages and pre-judgment interest, all computed as provided in 28 U.S.C. § 1961(a).

IT IS FURTHER ORDERED that the Plaintiff is also awarded attorney's fees in the amount of \$8,030, and costs in the amount of \$700, all computed as provided in 28 U.S.C. § 1961(a).

IT IS FURTHER ORDERED that if any amounts remain unpaid upon the expiration of ninety days following issuance of judgement, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgement shall automatically increase by fifteen percent, as required by NYLL § 198(4).

SO ORDERED.

Dated: October 20, 2015
New York, New York


Vernon S. Broderick
United States District Judge